IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

RPFC.No. 93 of 2007()

MC.280/2006 of THE FAMILY COURT, MALAPPURAM

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REVISION PETITIONER/RESPONDENT

MUTHUVATTU KALLADASSERI SARAFUDEEN,
41 YEARS, S/O.MUHAMMED, PALLIKKAL AMSOM DESOM,
P.O.PALLIKKAL, TIRURANGADI TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS: PETITIONERS

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1. POTHERI SUBAIDA,
35 YEARS, D/O.MAMMUNNI, PUTHUKKLUALNGARA PADI
VEEDU, MANNUR AMSOM DSOM, KOZHIKODE TALUK.

2. MUHAMMED SHAFEEKH, 4 YRARS (MINOR),
S/O.SUBAIDA.

3. SHAHLA FARSANA, 10 YEARS (MINOR),
D/O.SUBAIDA.

4. MAJIDA, 8 YEARS (MINOR),
D/O.SUBAIDA.
(MINOR RESPONDENTS ARE REPRESENTED BY GUARDIAN
MOTHER 1ST PETITIONER).

BY ADV. SRI.SALIL NARAYANAN.K.A
BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

R.P.(FC)No.93 of 2007

Dated this the 26th day of March, 2007

ORDER

Revision petitioner is the counter petitioner in M.C.No. 280/06 in the file of the Family Court, Malappuram. It is the grievance of the revision petitioner that the court below, without considering the counter statement filed by the revision petitioner and permitting him to adduce the evidence, disposed of the matter as he did not remit the amounts ordered to be paid to the minor children as interim maintenance at the rate of Rs.300/- to each of the children. The matter has been disposed by the court below directing to pay at the rate of Rs.1,500/- to the second petitioner and Rs.1,200/- each to petitioners 3 and 4 per month from the date of the petition.

2. Heard both sides.

3. In the circumstances, the order of the court below is set aside on condition that the revision petitioner deposits the amount of interim maintenance as ordered by the Family Court till date within one month from today onwards and continue to

deposit at the rates ordered by the Family Court. The court below shall dispose of the matter on merits after permitting both sides to adduce evidence. The amount if deposited can be withdrawn by the first petitioner.

The revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl